

**MINUTES  
MEETING OF THE  
TENNESSEE COMMISSION ON AGING AND DISABILITY  
THE SHERATON DOWNTOWN HOTEL  
623 UNION STREET  
NASHVILLE, TENNESSEE  
August 8, 2006  
Suite 6**

**Members Present:**

Ms. Diane Cornell  
Ms. Bettie Davis  
Ms. Judy Eads  
Mr. Shelburne Ferguson, Jr.  
Mr. John Fisher  
Seth Stanger for Tam Gordon  
Mr. Jerry Hill  
Ms. Teresa McCadams  
Regina Surber for Deborah Neill  
Mr. Judson Palmer  
Mr. Leonard Price  
Ms. Ruby Stewman  
Ms. Elizabeth Stovall  
Ms. Jacqueline Talley  
Bobbie Tyler  
William Edington for Wanda Willis  
Mr. Donald Woodlee

**Members Absent:**

Rep. Lois DeBerry  
Sen. Curtis Person  
Mr. John Arriola  
Mr. Robert Brandon  
Dr. Sun-Hwan Chu  
Ms. Bonnie J. Howard  
Mr. William Johnson

Pam Hayden-Wood, Office of the Attorney General, was also present.

Chair Woodlee called the meeting to order at 9:00 a.m. After introductions, the roll was called, and attendance is listed above.

**APPROVAL OF THE MAY 2006 MINUTES**

Chair Woodlee asked if there were any corrections, additions, or deletions to the Minutes of the May 2006 meeting. There were none.

**Ruby Stewman moved approval of the minutes as recorded. The motion was seconded by Diane Cornell and passed.**

**TCAD STAFF UPDATE**

Nancy Peace updated the Commission on staffing changes. As people retire and program demands change, or job responsibilities of existing staff have been modified, new staff have been added, and in some cases staff positions have been reclassified. The updated organizational chart was included in the Commission meeting notebooks. Nancy Brode, Supervisor of Planning, retired after 32 years of employment with the state. Ms. Peace stated that her position may be reclassified to position of Attorney. Planning has

been consolidated with Quality Assurance and is now the Quality Assurance (QA) and Planning Division. The position was posted and Jackie Bruce, former Program Coordinator for QA, has been named Supervisor for the new Division, and a vacancy for QA Program Coordinator exists. Mark Hanna, QA, will be working with the new Quality Assurance and Planning Division and with Perry Register in the Fiscal Division where he will be doing financial report monitoring and working with billing systems. Retiree Pat Smith's position was reclassified into an Information Technology (IT) Specialist position and Ryan Ellis has been named Supervisor of the new IT Department. Interviewing is in progress to fill the vacancy of Mr. Ellis's former position. Other changes include Tabitha Satterfield's promotion and redefined job responsibilities as a Program Coordinator. Ms. Satterfield will be working with in-home services including the Options Program. Jeannie Caudill, TCAD Public Guardian, will be assuming additional responsibilities with the Waiver program. A staff vacancy resulted from the promotion of Jerry Blasingame to the position of Ombudsman. The vacant position has been announced and interviews are being scheduled for the Senior Center Information and Assistance Coordinator.

## **PANDEMIC FLU**

Dr. Marion Kainer, Dir. of Hospital Infectious Program, Tenn. Dept of Health, made a PowerPoint presentation on pandemic influenza planning in Tennessee. She described pandemics and the H5N1 "bird flu" situation, the necessary planning process for the state including planning relating to nursing homes. Each state will have a contingency plan, and TN will participate.

## **AREA PLAN REVIEW COMMITTEE REPORT**

Perry Register reported that the remaining two districts whose Area Plans were not approved at the last Commission meeting are now recommended for approval. He outlined the steps taken to finalize the approval process and reported that the two area agencies had taken steps necessary to comply with requests for additional information. **Motion was made by Bettie Davis for approval of the recommendation for accepting the Aging Commission of the Mid-South Area Plan, and the motion was seconded by Jerry Hill. There were no abstentions or objections, and the motion carried. Motion was made by Leonard Price for approval of the recommendation for accepting the Upper Cumberland Area Plan, and the motion was seconded by Judson Palmer. There were no abstentions or objections, and the motion carried.**

## **AUDIT COMMITTEE REPORT**

In the absence of John Arriola, Nancy Peace reported that a letter of acceptance has been received from the Comptroller's office giving approval of the Audit Charter. As a result of working with the Comptroller's Office and the temporary Audit Committee, only a few minor changes were made to the draft charter. A copy is included in the Commission member's notebooks. **Motion was made by Diane Cormell to accept the charter as presented. Jerry Hill seconded the motion. There were no objections or abstentions, and the motion was carried by unanimous consent.**

Ms. Peace also presented the list of Commission members to be named to the new Audit Committee. The list included:

Leonard Price, Chair  
Judson Palmer  
Elizabeth Stovall  
Jerry Hill

**A motion was made by Shelburne Ferguson to accept the list, Jerry Hill seconded the motion. There were no objections or abstentions, and the motion was carried by unanimous consent.**

## **NUTRITION CHAPTER FOR POLICY MANUAL**

Lucy Utt reported the updates to the Nutrition Chapter for the Policy Manual. The Definitions section located in Appendix B has 33 new definitions. The Policy contains new requirements for the fulltime nutrition director at the Area Agencies on Aging and Disability to include a BS degree in nutrition or a related field. The purpose of the new requirements for staff will support enhancing and improving the nutrition program statewide including training related to technical information, linkages between nutrition and health and chronic diseases, etc. Current staff will be eligible to maintain their current position. Ms. Louise Woodberry, Nutrition Program Coordinator, will schedule visits to each area agency to provide training and technical assistance for area agency and nutrition program staff. The new policies will enhance and improve the nutrition program statewide.

Ms. Utt reported requirements for background checks in relation to the nutrition program. With the statewide Home and Community Based Services Waiver expanded to include services for adult day care, volunteers will have access to consumers outside the home. *TCA 71-2-111 'Verification of individual background information and performance of criminal history background check of employees and volunteers'* was referenced by Ms. Utt as containing requirements for the Nutrition program. The policy was taken from the rule, not more liberal or broad, and Ms. Utt added that the TCAD is requiring agencies to have an application form so applicants can list any violations. If an employing agency knows of a violation, they have no obligation to continue the employment. There are fees associated with criminal background checks. If applicant has lived in another state, or recently moved to the community (< 2-4 years), a comprehensive background check would be required. It was suggested by Ms. McCadams to create a standard application form to be used by programs administered through area agencies. Further suggestions included a comment by Ms. Eads to adjust the rules to be more stringent across the board which would require amending the statutes. Ms. Peace asked the Commission if a motion for approval of the nutrition chapter could be obtained excluding the policy on background checks. This would allow TCAD to move forward with the nutrition training. **Shelburne Ferguson made the motion to approve the revised nutrition chapter as presented which would allow the Commission to go forward with nutrition training. Jerry Hill seconded the motion. There were no abstentions or objections and the motion carried.**

## **TITLE VI IMPLEMENTATION PLAN**

Ms. Utt reported the list of recommended reviewers for the Title VI Implementation Plan and included in Commission member's notebooks. There is no travel involved and the draft Title VI plans will be mailed to the reviewers in preparation

for a statewide conference call to review the plan and obtain recommendations. It was recommended that a letter of recognition be mailed to each reviewer to recognize and express appreciation for their interest in participating on the Title VI Review Committee for TCAD.

### **TFA CONFERENCE, PARIS LANDING STATE PARK**

Nancy Peace gave the details of the Tennessee Federation on Aging (TFA) conference scheduled August 16-18, 2006, at Paris Landing State Park. TCAD staff will attend the meeting. Interest was also expressed by some Commission members to attend the meeting and Commission members were invited to participate. Commission members Teresa McCadams, Diane Cormell, Elizabeth Stovall, and Don Woodlee stated their desire to attend the meeting. **Motion was made by Ruby Stewman to approve these members to attend the TFA meeting, and they would be reimbursed for travel expenses and the conference registration fee will be directly billed to the TCAD. Judson Palmer seconded the motion. There were no abstentions or objections and the motion carried. Travel maps will be mailed to members requesting the information.**

### **STATUS REPORT ON HOME AND COMMUNITY BASED SERVICES**

Margaret Rose reported on current enrollment in the Waiver and non-waiver HCBS programs. A report illustrating enrollment in the programs was included in the member's notebooks. As of August 7, 2006, there were 1136 people enrolled in the home and community based statewide Medicaid waiver program, with 239 people being disenrolled, resulting in a net enrollment of 920. Some examples of disenrollment includes services no longer needed, or having to go to a nursing home (i.e., the home might be unsafe, etc.) There is no waiting list for the home and community based waiver. Ms. Rose reported that the time required for enrollment had been expedited from months to days. In response to the approval of the renewed waiver in October, the aging network will be recruiting service providers for additional services. The renewal application form has requested total approved number to be served in the home and community based waiver will be increased from 2871 to 3700 slots. TCAD believes the additional requested waiver services will better meet the needs of consumers, making waiver services more appropriate for at-risk individuals. Ms. Rose added that district marketing plans have been developed for the purpose of increasing participation in the program in all districts and each district reports monthly activities.

The Options, non-waiver HCBS services, update included current enrollment of 1,281 and 4,884 on the waiting list. The \$800,000 recommended in the Governor's budget and by the Legislature will serve approximately 250 additional people. TCAD's Tabitha Satterfield will be working on updating the Options Manual.

### **FY06 LEGISLATIVE ISSUES**

On legislative issues of interest to the elderly and disability community, some bills have been passed, some have been taken off notice, and some were only caption bills, etc. The final bill may not resemble the original description due to amendments

occurring during the process. Some bills impacting TCAD are:

- HB2934 – This bill decreases the service fee public institutions may charge to disabled or elderly persons enrolled in or auditing courses.
- SJR001 – Amends Article II, Section 28 of the Tennessee Constitution to give the general assembly by general law the authority to authorize counties and municipalities to adopt a resolution or ordinance to create a program of tax relief for certain elderly homeowners. SRJ001 passed in the final days of this year's General Assembly, extending authorization for cities and counties to appropriate funds that previously only Davidson County had such authorization. This action increased the property value allowance of disabled veterans from \$150,000 to \$175,000. Widows can take advantage of the property tax relief. It also raises the income eligibility of households to \$20,000 from the previous limit of \$12,890.

## **COMMUNITY SERVICES**

Ms. Lucy Utt, Supervisor for Community Services, reported on activities. Some upcoming trip events are shown below.

- The Nutrition Program Coordinator will attend the Nutritionists and Administrators Conference, August 28–30, 2006, Baltimore, MD. The Coordinator will be scheduling trainings in the Fall, 2006, to address the most recent government nutritional guidelines, Daily Recommended Intake (DRI), in each of the AAAD districts.
- The Public Guardianship Program Coordinator will attend the National Guardianship Association conference, October 7 – 10, 2006, Newport Beach, CA. During the conference, the state coordinator will take an exam to become a certified Registered Guardian. The Coordinator is planning statewide training for AAAD staff this Fall.
- The State Long-Term Care Ombudsman (LTCO) will provide training to the statewide staff, September 11 – 13, 2006, at the TCAD office. Training topics will include use of the OmbudsManager documentation/reporting software.
- The State SHIP Coordinator attended the annual National SHIP Directors' Conference in Denver, CO in June, 2006; two AmeriCorps\*VISTA trainings for project supervisors (3.5 days each, in June and July, in Atlanta, with all expenses paid by the Corporation for National and Community Service); and a Centers for Medicare and Medicaid Services Regional training in Atlanta, August 1, 2006. The Coordinator will arrange training for statewide SHIP staff and other interested persons, August 23 – 25, 2006, at the TCAD office.

Other reported activities included the VISTA project. In April 2006, TCAD received a grant from the Corporation for National and Community Service to provide 21 AmeriCorps\* VISTA "members" for one and, up to, three years. The purpose of the initiative is to build sustainable volunteer programs in each of the State's 95 counties charged with the responsibility of identifying and assisting low-income persons with Medicare issues relating to enrollment in Medicare Part D and the accompanying Low-Income Subsidy (LIS). VISTA members will be affiliated with the nine Area Agencies on Aging and Disability and TCAD.

## **STATUS REPORT ON THE AGING AND DISABILITY RESOURCE CENTER (ADRC)**

During the past three months, ADRC activities include:

- Working with the ADRC consultant to evaluate progress relating to the project goals and to address upcoming activities.
- Two meetings of the ADRC Advisory Board, May 25 and July 13, were well attended with over 20 representatives of aging and disability groups and TCAD staff in attendance. Work groups were formed, providing an opportunity for participants to brainstorm, network, and engage in strategic planning.
- A meeting of the ADRC Policy Council, May 22, resulted in the Department of Human Services expressing consideration of assigning staff at the local level to work with Area Agency staff (at least in the two ADRC pilot project locations) for the purpose of streamlining financial eligibility determination.
- Met with staff of the ADRC Pilot Sites to set goals, and in support of the approved project, the consultant and TCAD staff met with Vanderbilt Kennedy Center staff to participate in a demonstration of the Disability Pathfinder database.
- Future ADRC project activities include:
  - Naming the ADRC Project. The ADRC Advisory Board marketing work group recorded many ideas during the work sessions. It was noted that some states use the national logo as the state logo and other states incorporate it into other naming/branding for their ADRC project. These ideas will be shared by TCAD with the Governor's Office, the Bureau of TennCare, and the Council on Developmental Disabilities as future work is done to implement a marketing campaign designed to promote Home and Community Based Services (HCBS) and the ADRC. The initial plan is to work with a marketing firm to develop a professional brand and marketing plan.
- Drafting a Memorandum of Understanding for streamlining access to HCBS that will be signed by TCAD, the Department of Human Services, and the Bureau of TennCare
- Developing a work plan specific to streamlining access to services to be submitted to the grantor in September 2006
- Re-issuing a request to contract with an evaluator for the project
- Compiling an update for the required Semi-Annual Report to be submitted to the grantor in October 2006
- Compiling baseline data from pilot sites
- Seeking funds through other grant opportunities to sustain the project
- Addition of two new members to the Advisory Board to represent consumers and the Centers for Independent Living
- Both pilot sites have submitted work plans, and First Tennessee is seeking a project coordinator.

A conference call with the grantors on July 20<sup>th</sup> was very positive. Using an outline sent in advance, Nancy Peace and Belinda Bruns answered questions and gave details about recent ADRC progress. Leslie Swann, Administration on Aging, remarked that Tennessee seemed to be on track with project expectations.

## **TN4A**

Aaron Bradley, President of the Tennessee Association for Area Agencies on Aging and Disability, acknowledged pleasure in working with Chair Howard and expressed appreciation for her leadership. TN4A wished her the best in future endeavors.

The following items were included in the TN4A report:

- The National Association of Area Agencies on Aging and Disability is working with TN4AD and the State Director, Nancy Peace, on preliminary plans to hold their annual training conference in Nashville in 2008.
- Congratulations to Nancy Peace on her Second Anniversary! Nancy has worked tirelessly in the past two years to improve services to older adults and persons with disabilities and continues to include AAADs every step of the way.
- The Waiver Renewal Application, including new services, and an increase in the average allowable costs per consumer, will provide the TCAD / AAAD provider network with the resources to better service the HCBS Waiver consumer.
- AAAD Directors would like to thank the outgoing members of the Commission for their years of service and their ongoing support and to congratulate the new TCAD officers.
- AAAD Directors are looking forward to working with TCAD staff and Commission Members on planning for the Annual Network Training Conference and the Planning Retreat to prepare for the next State Plan and Area Plan Development in 2007.

## **REPORT FROM THE EXECUTIVE DIRECTOR**

Nancy Peace reported the activities of the TCAD staff. The report was included in Commission member's notebooks. Some highlights included:

- Appreciation to Ms. Mary Ann Cage, TCAD waiver staff, for her hard work and dedication in the renewal of 125 Medicaid Waiver service provider contracts. The contract renewal is for a one-year period, expiring at the end of the fiscal year. Coordinating the documents to the provider and ensuring their return and approval requires a lengthy paperwork trail, is coordinated with TennCare, and requires much attention to detail.
- Alzheimer's Grant was renewed and West Tennessee was added.
- TCAD is undergoing Sunset Audit and has completed the comptroller's compliance audit.
- A form of strategic planning is mandated in Chapter 875 of the Public Acts, "The Tennessee Governmental Accountability Act of 2002". In Response to this law,

TCAD has completed and submitted a strategic plan for approval. The draft was included in Commission member notebooks.

- Participated in ADRC conference call with the Administration on Aging and CMS;
- Convened meeting of ADRC advisory committee and key partners;
- Met with TennCare staff to discuss the proposed consolidation of the Shelby County and Adapt HCBS waivers with the statewide waiver program;
- Attended meeting convened by the Dept. of Health to discuss the abuse registry;
- Attended meeting convened by AARP to discuss future directions for Long Term Care;
- Met with MARS, statewide provider of Case Management, to discuss the statewide waiver;
- The Executive Director of Developmental Disabilities arranged a meeting of TCAD and Kennedy Center staff to discuss the resource database at the Kennedy Center and a possible working relationship to improve access to information about available services.

## **ADJOURNMENT**

**With no further business before the Commission, motion was made by Jerry Hill to adjourn and the motion was seconded by Leonard Price. All were in favor and the motion carried.** Chair Woodlee adjourned the meeting at 3:05 p.m. The next regularly scheduled meeting will be November 14, 2006, 9:00 a.m. CST at the Sheraton Hotel Downtown, Nashville, TN.

Respectfully submitted,

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Nancy C. Peace  
Recording Secretary  
Tennessee Commission on Aging and Disability